PTO/SB/96 (09-04)

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## STATEMENT UNDER 37 CFR 3.73(b)

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Applicant/Patent Owner: Exact Sciences Corporation  Application No./Patent No.: 09/336,609   Filed/issue Date: June 18, 1999   Filed/issue Dat	STATEMENT UNDER 37 CFR 3.73(b)	_
an assignee of less than the entire right, title and interest. The extent (by percentage) of its ownership interest is	Applicant/Patent Owner: Exact Sciences Corporation .	R
an assignee of less than the entire right, title and interest. The extent (by percentage) of its ownership interest is	Application No./Patent No.: 09/336,609 Filed/Issue Date: June 18, 1999	S TIL
an assignee of less than the entire right, title and interest. The extent (by percentage) of its ownership interest is	Entitled: DETECTION OF NON-VIRAL ORGANISMS WITH SRP RNA	To The
an assignee of less than the entire right, title and interest. The extent (by percentage) of its ownership interest is	Exact Sciences Corporation , a Corporation Corporation partnership	
an assignee of less than the entire right, title and interest. The extent (by percentage) of its ownership interest is	ctates that it is:	<b>13</b>
2. an assignee of less than the entire right, title and interest. The extent (by percentage) of its ownership interest is	1. X the assignee of the entire right, title, and interest; or	0
The extent (by percentage) of its ownership interest is		
A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel Frame or for which a copy thereof is attached.  OR  B. X A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:  Boles, T. Christian Weir, Lawrence  1. From: Stone, Benjamin B. To: Mosaic Technologies  The document was recorded in the United States Patent and Trademark Office at Reel 010219 , Frame 0623 , or for which a copy thereof is attached.  MT Technology, Inc. (Formerly known as Mosaic Technologies Inc.) Through MMC/GATX Partnership No. 1 and Transamerica Technology Finance  2. From: Corporation To: Exact Sciences Corporation  The document was recorded in the United States Patent and Trademark Office at Reel 012430 , Frame 0006 , or for which a copy thereof is attached.  3. From: To: To: The document was recorded in the United States Patent and Trademark Office at Reel	The extent (by percentage) of its ownership interest is %	
was recorded in the United States Patent and Trademark Office at Reel Frame		
A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:    Boles, T. Christian   Weir, Lawrence   1. From: Stone, Benjamin B.   To: Mosaic Technologies   The document was recorded in the United States Patent and Trademark Office at Reel   010219   Frame   0623   or for which a copy thereof is attached.   MT Technology, Inc. (Formerly known as Mosaic Technologies Inc.) Through   MMC/GATX Partnership No. 1 and   Transamerica Technology Finance   To: Exact Sciences Corporation   The document was recorded in the United States Patent and Trademark Office at Reel   012430   Frame   0006   or for which a copy thereof is attached.     To: The document was recorded in the United States Patent and Trademark Office at Reel   Frame   or for which a copy thereof is attached.     Additional documents in the chain of title are listed on a supplemental sheet.     Copies of assignments or other documents in the chain of title are attached.     NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO.   See MPEP 302.08  The undersigned Whose title is supplied Sejow) is authorized to act on behalf of the assignee.	was recorded in the United States Patent and Trademark Office at Reel	
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Weir, Lawrence Stone, Benjamin B. To: Mosaic Technologies The document was recorded in the United States Patent and Trademark Office at Reel 010219 , Frame 0623 , or for which a copy thereof is attached.  MT Technology, Inc. (Formerly known as Mosaic Technologies Inc.) Through MMC/GATX Partnership No. 1 and Transamerica Technology Finance 2. From: Corporation The document was recorded in the United States Patent and Trademark Office at Reel 012430 , Frame 0006 , or for which a copy thereof is attached.  3. From: To: The document was recorded in the United States Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.  Additional documents in the chain of title are listed on a supplemental sheet.  Copies of assignments or other documents in the chain of title are attached.  [NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]  The undersigned whose title is supplied below) is authorized to act on behalf of the assignee.  Signature Date  Patrick R.H. Waller, Reg. No. 41,418 617-646-8223 Printed or Typed Name  I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. 60x,1450, Alexaddria (2313-1450, on the date shown below.		
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Reel	as Mosaic Technologies Inc.) Through  MMC/GATX Partnership No. 1 and  Transamerica Technology Finance  2. From: Corporation To: Exact Sciences Corporation	
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Signature  Patrick R.H. Waller, Reg. No. 41,418  Printed or Typed Name  I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria (A. 22313-1450, on the date shown below.	[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be	
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Printed or Typed Name  Telephone Number  I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450, on the date shown below.	G.g. a.u.	
an envelope addressed to: Commissioner for Patents, P.O. Box,1450, Alexandria VA; 22313-1450, on the date shown below.		
	an envelope addressed to: Commissioner for Patents, P.O. Box,1450, Alexandria VA, 22313-1450, on the date shown below.	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-14

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and

NEW POWER OF ATTORNEY

NEW POWER OF ATTORNEY

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JAN 3 0 2006
TECH CENTER 1600/2900

Sir:

The undersigned, Exact Sciences Corporation, assignee of the entire right, title and interest for all of the patents and patent applications identified in the attached Schedule A, hereby revokes all previous powers of attorney or authorizations of agent given in the identified patents and patent applications and in any divisional, continuing, substitute, renewal or reissue applications thereof, and appoints all practitioners affiliated with Customer Number:



as assignee's attorneys or agents with full power of substitution to take any and all action necessary with regard to the identified patents and patent applications, and with regard to any divisional, continuing, substitute, renewal or reissue applications thereof.

Please forward all correspondence to:

Patrick R.H. Waller
Wolf, Greenfield & Sacks, P.C.
Federal Reserve Plaza
600 Atlantic Avenue
Boston, Massachusetts 02210
Tel. 617-646-8223
Fax 617-720-2441

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Please use corresponding Attorney's Docket Number in attached Schedule A on all future correspondence in connection with the identified patents and patent applications.

Respectfully submitted,

Date: 12/6/05

Name: Jeffrey R. Luber

Title: General Counsel and Secretary

## **SCHEDULE A**

OTP E	SCHEDI	ULE A	AECENED ONS ON THE PROPERTY OF
Issued Patents			20 14
Atty. Docket No.	Patent No.	Issue Date	A Company
E0411.70000US02	6,844,155	January 18, 2005	<b>8</b>
E0411.70001US00	6,818,404	November 16, 2004	
E0411.70006US01	6,214,187	April 10, 2001	
E0411.70009US00	6,280,947	August 28, 2001	
E0411.70009US01	6,482,595	November 19, 2002	
E0411.70011US00	6,503,718	January 7, 2003	
E0411.70011US01	6,498,012	December 24, 2002	
E0411.70011US02	6,475,738	November 5, 2002	
E0411.70012US01	5,670,325	September 23, 1997	
E0411.70013US00	5,928,870	July 27, 1999	-
E0411.70014US00	6,143,529	November 7, 2000	
E0411.70015US01	6,203,993	March 20, 2001	<del></del>
E0411.70016US00	6,300,077	October 9, 2001	
E0411.70019US00	5,888,778	March 30, 1999	
E0411.70020US00	6,566,101	May 20, 2003	
E0411.70026US01	6,551,777	April 22, 2003	
E0411.70027US01	6,919,174	July 19, 2005	
E0411.70028US02	5,741,650	April 21, 1998	
E0411.70029US00	5,952,178	September 14, 1999	
E0411.70029US01	6,303,304	October 10, 2001	
E0411.70031US00	6,428,964	August 6, 2002	
E0411.70032US00	6,750,020	June 15, 2004	
E0411.70035US00	6,268,136	July 31, 2001	
E0411.70035US01	6,406,857	June 18, 2002	
E0411.70036US01	6,586,177	July 1, 2003	
E0411.70039US00	6,849,403	February 1, 2005	
E0411.70040US00	6,911,308	June 28, 2005	
E0411.70050US00	6,020,137	February 1, 2000	
E0411.70052US00	6,351,857	March 5, 2002	

## **Issued Patents**

Atty. Docket No.	Patent No.	Issue Date
E0411.70052US01	6,415,455	July 9, 2002
E0411.70054US00	6,146,828	November 14, 2000
E0411.70055US00	6,100,029	August 8, 2000
E0411.70055US01	6,214,558	April 10, 2001
E0411.70062US00	5,830,665	November 3, 1998

## **Patent Applications**

Atty. Docket No.	Serial No.	Filing Date
E0411.70000US00	60/063,219	October 23, 1997
E0411.70000US01	09/177,243	October 22, 1998
E0411.70001US01	10/991,349	November 16, 2004
E0411.70003US00	60/176,839	January 19, 2000
E0411.70003US01	09/766,880	January 19, 2001
E0411.70004US00	60/121,836	February 26, 1999
E0411.70004US01	09/513,381	February 25, 2000
E0411.70004US02	10/021,237	December 6, 2001
E0411.70005US00	60/090,063	June 19, 1998
E0411.70005US01	09/336,609	June 18, 1999
E0411.70005US02	10/024,944	December 19, 2001
E0411.70005US03	10/721,157	November 25, 2003
E0411.70006US00	60/089,788	June 18, 1998
E0411.70006US02	09/707,119	November 6, 2000
E0411.70007US00	60/517,623	November 5, 2003
E0411.70007US01	60/530,461	December 16, 2003
E0411.70007US02	10/982,733	November 5, 2004
E0411.70008US00	60/128,629	April 9, 1999
E0411.70008US01	09/545,162	April 7, 2000
E0411.70008US02	11/090,749	March 23, 2005

E0411.70010US00         60/134,711         January 10, 1999           E0411.70010US01         09/468,670         December 21, 1999           E0411.70011US03         10/299,051         November 18, 2002           E0411.70012US00         60/009,137         December 22, 1995           E0411.70015US00         09/098,180         June 16, 1998           E0411.70016US01         09/972,767         October 5, 2001           E0411.70017US00         60/331,654         November 20, 2001           E0411.70017US01         10/301,505         November 20, 2002           E0411.70018US00         60/146,792         August 2, 1999           E0411.70020US01         10/358,989         February 5, 2003           E0411.70021US00         60/569,736         May 10, 2004           E0411.70021US01         60/631,214         November 24, 2004
E0411.70011US03       10/299,051       November 18, 2002         E0411.70012US00       60/009,137       December 22, 1995         E0411.70015US00       09/098,180       June 16, 1998         E0411.70016US01       09/972,767       October 5, 2001         E0411.70017US00       60/331,654       November 20, 2001         E0411.70017US01       10/301,505       November 20, 2002         E0411.70018US00       60/146,792       August 2, 1999         E0411.70020US01       10/358,989       February 5, 2003         E0411.70021US00       60/569,736       May 10, 2004
E0411.70012US00       60/009,137       December 22, 1995         E0411.70015US00       09/098,180       June 16, 1998         E0411.70016US01       09/972,767       October 5, 2001         E0411.70017US00       60/331,654       November 20, 2001         E0411.70017US01       10/301,505       November 20, 2002         E0411.70018US00       60/146,792       August 2, 1999         E0411.70020US01       10/358,989       February 5, 2003         E0411.70021US00       60/569,736       May 10, 2004
E0411.70015US00       09/098,180       June 16, 1998         E0411.70016US01       09/972,767       October 5, 2001         E0411.70017US00       60/331,654       November 20, 2001         E0411.70017US01       10/301,505       November 20, 2002         E0411.70018US00       60/146,792       August 2, 1999         E0411.70020US01       10/358,989       February 5, 2003         E0411.70021US00       60/569,736       May 10, 2004
E0411.70016US01       09/972,767       October 5, 2001         E0411.70017US00       60/331,654       November 20, 2001         E0411.70017US01       10/301,505       November 20, 2002         E0411.70018US00       60/146,792       August 2, 1999         E0411.70020US01       10/358,989       February 5, 2003         E0411.70021US00       60/569,736       May 10, 2004
E0411.70017US00       60/331,654       November 20, 2001         E0411.70017US01       10/301,505       November 20, 2002         E0411.70018US00       60/146,792       August 2, 1999         E0411.70020US01       10/358,989       February 5, 2003         E0411.70021US00       60/569,736       May 10, 2004
E0411.70017US01       10/301,505       November 20, 2002         E0411.70018US00       60/146,792       August 2, 1999         E0411.70020US01       10/358,989       February 5, 2003         E0411.70021US00       60/569,736       May 10, 2004
E0411.70018US00       60/146,792       August 2, 1999         E0411.70020US01       10/358,989       February 5, 2003         E0411.70021US00       60/569,736       May 10, 2004
E0411.70020US01 10/358,989 February 5, 2003 E0411.70021US00 60/569,736 May 10, 2004
E0411.70021US00 60/569,736 May 10, 2004
E0411.70021US01 60/631,214 November 24, 2004
E0411.70022US00 60/440,500 January 16, 2003
E0411.70022US01 10/758,693 January 15, 2004
E0411.70023US00 60/571,120 May 15, 2004
E0411.70024US00 60/046,708 May 16, 1997
E0411.70024US01 08/971,845 August 8, 1997
E0411.70024US02 10/888,767 July 9, 2004
E0411.70025US00 60/440,880 January 17, 2003
E0411.70025US01 10/759,378 January 16, 2004
E0411.70025US02 10/995,738 November 22, 2004
E0411.70026US00 60/122,177 February 25, 1999
E0411.70026US02 10/377,017 February 28, 2003
E0411.70027US00 60/169,457 December 7, 1999
E0411.70027US02 11/114,917 April 25, 2005
E0411.70028US00 60/010,856 January 30, 1996
E0411.70028US01 60/012,015 February 21, 1996
E0411.70029US02 09/977,876 October 15, 2001
E0411.70030US00 60/498,254 August 26, 2003
E0411.70030US01 60/604,870 August 27, 2004

Atty. Docket No.	Serial No.	Filing Date
E0411.70032US01	10/471,306	September 9, 2003
E0411.70033US00	09/259,467	February 26, 1999
E0411.70033US01	09/939,275	August 24, 2001
E0411.70034US00	08/876,638	June 16, 1997
E0411.70035US02	10/105,877	March 25, 2002
E0411.70036US00	60/152,847	September 8, 1999
E0411.70036US02	10/434,482	May 7, 2003
E0411.70037US00	10/601,132	June 20, 2003
E0411.70038US00	10/149,464	June 7, 2002
E0411.70041US00	09/859,990	May 17, 2001
E0411.70042US00	60/357,585	February 15, 2002
E0411.70042US01	10/369,123	February 18, 2003
E0411.70043US00	60/066,508	November 25, 1997
E0411.70043US01	09/200,126	November 25, 1998
E0411.70044US00	60/067,556	December 5, 1997
E0411.70044US01	09/206,173	December 4, 1998
E0411.70044US02	10/087,221	March 1, 2002
E0411.70045US00	60/076,614	March 3, 1998
E0411.70045US01	09/261,363	March 3, 1999
E0411.70046US00	60/103,075	October 5, 1998
E0411.70046US01	09/411,777	October 4, 1999
E0411.70047US00	09/286,091	April 2, 1999
E0411.70047US01	09/968,282	October 1, 2001
E0411.70048US00	09/285,380	April 2, 1999
E0411.70048US01	09/968,084	October 1, 2001
E0411.70049US00	60/623,005	October 27, 2004
E0411.70049US01	60/627,248	November 12, 2004
E0411.70050US01	09/495,527	January 31, 2000
E0411.70050US02	09/747,355	December 20, 2000
E0411.70051US00	09/303,988	May 3, 1999

Atty. Docket No.	Serial No.	Filing Date
E0411.70053US00	09/514,559	February 28, 2000
E0411.70056US00	60/109,599	November 23, 1998
E0411.70056US01	09/448,042	November 23, 1999
E0411.70057US00	60/109,724	November 23, 1998
E0411.70057US01	09/441,760	November 17, 1999
E0411.70058US00	60/096,588	August 14, 1998
E0411.70058US01	09/333,206	June 15, 1999
E0411.70059US00	60/096,632	August 14, 1998
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E0411.70059US02	09/748,428	December 26, 2000
E0411.70060US00	60/109,567	November 23, 1998
E0411.70060US01	09/447,975	November 23, 1999
E0411.70061US00	60/039,133	February 27, 1999
E0411.70061US01	08/815,576	March 12, 1997
E0411.70063US00	60/294,323	May 29, 2001
E0411.70063US01	10/158,572	May 29, 2002
E0411.70100US00	60/657,841	March 1, 2005
E0411.70101US00	60/673,436	April 21, 2005